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AMENDMENTS TO LB 957

(Amendments to E & R amendments, AM7219)

1                   1. Insert the following new section:

2                   "Sec. 14. Section 10-126, Revised Statutes Supplement,  
3 2001, is amended to read:

4                   10-126. (1) All bonds of indebtedness, issued after  
5 September 7, 1947, by any county, precinct, city, village, school  
6 district, drainage district, or irrigation district or any other  
7 municipal corporation or governmental subdivision of the state  
8 shall be redeemable at the option of the governmental subdivision  
9 or municipal corporation issuing such bonds at any time on or after  
10 five years from the date of issuance, except that this provision  
11 shall not apply to (a) bonds of public power districts, public  
12 power and irrigation districts, metropolitan utilities districts,  
13 cities of the metropolitan and primary classes, and housing  
14 authorities of any city or village, (b) issues of revenue bonds  
15 exceeding one million dollars of cities of the first and second  
16 classes and of villages, ~~or~~ (c) issues of bonds exceeding ten  
17 million dollars of any school district of one thousand or more  
18 students in membership as provided in the fall school district  
19 membership report pursuant to subsection (4) of section 79-528  
20 immediately preceding the issuance of bonds, or (d) bonds issued by  
21 the Board of Regents of the University of Nebraska or the Board of  
22 Trustees of the Nebraska State Colleges. Bonds of a district  
23 created under Chapter 31 or 39 shall in addition, after annexation

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1 of the district by any municipality, be redeemable at the option of  
2 the annexing municipality at any time after annexation of such  
3 district if at the time of redemption at least five years have  
4 elapsed from date of issuance. Such condition shall be plainly set  
5 forth in all bonds of any governmental subdivision of the state or  
6 municipal corporation hereafter issued to which it applies.

7 (2) The issuer, except districts organized under Chapter  
8 31 or 39, of any such bonds of indebtedness, when the total amount  
9 of bonds at par value authorized as a single issue is five hundred  
10 thousand dollars or more, may agree to pay a call premium of not to  
11 exceed four percent of the par value for the redemption of such  
12 bonds. Districts organized under Chapter 31 or 39 may agree to pay  
13 a call premium of not to exceed two percent of the par value of  
14 such bonds when a single issue is five hundred thousand dollars or  
15 more, and bonds of such districts shall have no other bond  
16 redemption call or prepayment restrictions except as provided in  
17 this section. Bonds listed in subdivisions (1)(a) through ~~(1)(e)~~  
18 (1)(d) of this section may contain such provisions with respect to  
19 their redemption as the public power district, public power and  
20 irrigation district, metropolitan utilities district, city,  
21 village, housing authority, ~~or~~ school district, Board of Regents,  
22 or Board of Trustees shall provide.

23 (3) All bonds issued which do not provide a special  
24 procedure for calling and prepayments shall be called by a  
25 resolution passed by the governing body of the obligor, which  
26 resolution shall designate the bond or bonds to be prepaid by  
27 stating the date of the bonds, the purpose for which the bonds were

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1 issued, the bond numbers of the bonds so called, and the date set  
2 for prepayment. The issuer of any bonds which are required by this  
3 section to be issued subject to an option of redemption shall, at  
4 least thirty days prior to the date set for prepayment of such  
5 bonds, send notice by mail of the call to each holder of the called  
6 bonds as shown in its records. A true copy of the resolution shall  
7 be filed by the obligor with the paying agent on or before the call  
8 date.

9 (4) If the obligor deposits sufficient funds with the  
10 paying agent to pay the called bonds and accrued interest to date  
11 of call in full on or before the call date, the bonds shall cease  
12 to be a liability of the obligor, otherwise the call shall be  
13 revoked, and the bonds continue in effect the same as though no  
14 call had been made.".

15 2. Renumber the remaining sections and correct internal  
16 references accordingly. Correct the operative date and repealer  
17 sections so that the section added by this amendment becomes  
18 operative three calendar months after the adjournment of this  
19 legislative session.